

POSITION PAPER
UN Committee on the
Peaceful Uses of Outer Space

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PHOTOGRAPHIC AND OBSERVATION SATELLITES
(Contingency)

THE PROBLEM

In its attack on U. S. space activities the Soviets have charged that the U.S. reconnaissance program, designed to acquire target intelligence, is aggressive in nature. The Soviet Union has included in its draft statement of general principles for outer space use and exploration the provision that "the use of artificial satellites for the collection of intelligence information in the territory of foreign States is incompatible with the objectives of mankind in its conquest of outer space". In its draft "International Agreement on the Rescue of Astronauts and Spaceships Making Emergency Landings" the Soviets provided for no return of "devices....for the collection of intelligence information on the territory of another State". We must anticipate that bloc members in the forthcoming Outer Space Committee meeting may criticize United States reconnaissance satellites as illegal and aggressive. Criticism of United States observation satellites may also arise within the context of a neutral or bloc proposal to define "peaceful uses" or "peaceful purposes" (See Annex A).

US POSITION

The United States should indicate firmly that proposed declarations or agreements attempting to deny or restrict the use of outer space for photographic or observation purposes are unacceptable. If challenged, the U.S. should articulate a reasoned defense of the legitimacy of observation from outer space along the following lines: (1) international law permits the observation of the earth from outer space; (2) in the absence of a viable disarmament agreement, for which the United States has worked diligently, the use of photographic and observation satellites for military purposes may make a significant contribution

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to the maintenance of international peace and security; (3) the uses to which photographic data may be put include weather forecasting, research surveys, mapping, and geodesy; and (4) photographic and observation satellites may bring disarmament a step closer by providing a promising means of verification of disarmament agreements. In general, the United States should seek to counter, in the fashion suggested above, bloc efforts to create an international aura of immorality and illegality around satellite reconnaissance activities. In public statements, the terms "photographic" and "observation" should be used in place of "reconnaissance".

COMMENT

(1) International law imposes no restrictions upon observation from outside the territorial limits of States. Observation of national territories from outer space does not differ from observation from the high seas or from points outside national air space. Such observation is peaceful in character. Consequently, the making of observations of the earth from outer space is an entirely legitimate activity. It does not interfere with other activities on earth or in space.

(2) In the present international context, in which the United States and other nations have been unable to secure international agreement to a verifiable program of general and complete disarmament, the development of photographic and observation satellites serves peaceful purposes by reducing the risks of military surprise and miscalculation inherent in dealings with a closed society such as the Soviet Union. Furthermore, the development of such satellites may bring us a step closer to our ultimate goal—a disarmed world—by providing a promising means of verification of disarmament agreements.

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(3) Finally, observation of the earth from satellites makes possible the accomplishment of many more tasks beneficial to mankind. Observation of the earth may be performed by astronauts as tourists and scientists, by TIROS weather satellites for humanitarian public service purposes relating to weather prediction, and by other instrumentalities for such purposes as resource surveys, engineering and development projects, and the mapping of remote areas. The peaceful character of observations from space is not altered by their being made by military personnel. For example, the United States considers the observations made by Soviet cosmonauts (as indeed, any other observation activity which the USSR may be conducting) as peaceful, and we consider their military status and the intent of their observations therefore irrelevant.

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